

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Zev Shechtman (SBN: 266280) zev.shechtman@saul.com Carol Chow (SBN: 169299) carol.chow@saul.com SAUL EWING LLP 1888 Century Park East, Suite 1500 Los Angeles, California 90067 Telephone: 310-255-6100 Facsimile: 310-255-6200</p> <p><input type="checkbox"/> Individual <i>appearing without an attorney</i> <input checked="" type="checkbox"/> Attorney for: Debtors Alan Gomperts, Daniel Halevy, and Susan Halevy</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</p>	
<p>In re: SEATON INVESTMENTS, LLC, <i>et al</i>,</p> <p style="text-align: right;">Debtors and Debtors in Possession</p>	<p>CASE NO.: 2:24-bk-12079-VZ</p> <p>Jointly Administered with Case Nos.: 2:24-bk-12080-VZ; 2:24-bk-12081-VZ; 2:24-bk-12082-VZ; 2:24-bk-12091-VZ; 2:24-bk-12074-VZ; 2:24-bk-12075-VZ and 2:24-bk-12076-VZ</p>
<p><input type="checkbox"/> Affects All Debtors.</p> <p><input type="checkbox"/> Affects Seaton Investments, LLC</p> <p><input type="checkbox"/> Affects Colyton Investments, LLC</p> <p><input type="checkbox"/> Affects Broadway Avenue Investments, LLC</p> <p><input checked="" type="checkbox"/> Affects SLA Investments, LLC</p> <p><input checked="" type="checkbox"/> Affects Negev Investments, LLC</p> <p><input checked="" type="checkbox"/> Affects Alan Gomperts</p> <p><input type="checkbox"/> Affects Daniel Halevy</p> <p><input checked="" type="checkbox"/> Affects Susan Halevy</p>	<p>CHAPTER: 11</p> <p>NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: <i>(title of motion¹)</i>: MOTION BY AFFECTED DEBTORS FOR ENTRY OF AN ORDER AUTHORIZING USE OF CASH COLLATERAL PURSUANT TO 11 U.S.C. § 363(C)(2); DECLARATION OF ALAN GOMPERTS, SUSAN HALEVY, DANIEL HALEVY AND DERRICK TALERICO IN SUPPORT THEREOF [DKT. 87]</p>

PLEASE TAKE NOTE that the order titled ORDER: (1) SCHEDULING CONTINUED HEARING ON MOTION TO
AUTHORIZE USE CASH COLLATERAL; AND (2) AUTHORIZING INTERIM USE OF CASH COLLATERAL PURSUANT
TO 11 U.S.C. § 363(C)(2)
was lodged on (date) 07/10/2024 and is attached. This order relates to the motion which is docket number 87.

¹ Please abbreviate if title cannot fit into text field.

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Susan Halevy

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re:

SEATON INVESTMENTS, LLC, *et al.*,

Debtors and Debtors in
Possession.

Lead Case No. 2:24-bk-12079-VZ

Jointly Administered with Case Nos.:
2:24-bk-12080-VZ; 2:24-bk-12081-VZ;
2:24-bk-12082-VZ; 2:24-bk-12091-VZ;
2:24-bk-12074-VZ; 2:24-bk-12075-VZ
and 2:24-bk-12076-VZ

Chapter 11

ORDER:

**(1) SCHEDULING CONTINUED
HEARING ON MOTION TO
AUTHORIZE USE CASH
COLLATERAL; AND**

**(2) AUTHORIZING INTERIM USE
OF CASH COLLATERAL
PURSUANT TO
11 U.S.C. § 363(C)(2)**

Initial Hearing:

Date: June 20, 2024

Time: 11:00 a.m.

Crtrm.: 1368

Continued Hearing:

Date: July 23, 2024

Time: 11:00 a.m.

Crtrm.: 1368

On June 20, 2024, at 11:00 a.m., the Court held a hearing (the “Hearing”) on shortened time on the *Motion By Affected Debtors For Entry Of An Order Authorizing Use Of Cash Collateral Pursuant To 11 U.S.C. § 363(c)(2)* (“Motion”) [Dkt. No. 87] filed by Seaton Investments, LLC, (“Seaton”), Colyton Investments, LLC (“Colyton”), SLA Investments, LLC (“SLA”), Negev Investments, LLC (“Negev”), Susan Halevy (“Susan” or “Susan Halevy”), and Alan Gomperts (“Alan” or “Alan Gomperts”), the debtors and debtors-in-possession (the “Debtors”) in the above-entitled jointly administered chapter 11 bankruptcy cases (the “Bankruptcy Cases”).

Oppositions to the Motion were filed by Archway Real Estate Income Fund I SPI I, LLC (“Archway”), Wells Fargo Bank National West [Dkt. Nos. 100 (Bagley Property) and 101 (Greenfield Property)], and Harvest Small Business Finance, LLC (the “Lenders”). (The Debtors together with the Lenders are jointly referred to herein as the “Parties”).¹ The Debtors filed an omnibus reply to the oppositions filed by the Lenders. Arguments made during the Hearing were

¹ The Motion also sought relief with respect to debtors Seaton and Colyton. Relief on the Motion as it pertains to Seaton and Colyton will be addressed by a separate order.

1 as reflected -in the record. Appearances at the Hearing, in person, or via telephone, were made as
2 reflected in the record.

3 After considering the Motion, the declaration and other evidence submitted in support of
4 the Motion, the record in this bankruptcy case, the abovementioned oppositions to the Motion and
5 the arguments made during the Hearing, the Court having found notice to have been proper under
6 the circumstances, based on the findings made on the record during the Hearing, and good cause
7 appearing,

8 THE COURT HEREBY ORDERS AS FOLLOWS:

9 1. The Motion is granted as modified by this Order on an interim basis through and
10 including July 23, 2024.

11 2. There will be a continued hearing on the Motion on July 23, 2024 at 11:00 a.m.

12 3. The Debtors shall file a status report, any supplement to the Motion and any new
13 proposed budget by July 16, 2024

14 4. The approval of interim use of cash collateral is without prejudice to objections raised
15 with respect to the Motion as to approval of cash collateral beyond July 23, 2024.

16 5. The Lenders' objections, rights, and remedies with respect to their oppositions are
17 reserved and preserved.

18 6. Grant of Replacement Liens and Other Adequate Protection. During the Interim
19 Period, the Lenders shall be granted adequate protection as follows: (i) a valid, enforceable, fully
20 perfected, and unavoidable replacement lien in favor of the Lenders (the "Replacement Liens") on
21 all of the applicable Debtor's post-petition assets or interests in the collateral acquired retro-active to
22 the Petition Date of the same type and categories that the Lenders had a lien on or security interest in
23 their respective collateral as of the Petition Date provided, however, that the Replacement Liens
24 shall have the same scope, validity, perfection, extent, relative priority and enforceability as the
25 Lenders' pre-Petition Date security interests in the collateral; and further provided, however, that the
26 Replacement Liens shall be subordinate to the allowed and approved fees and expenses (but not
27 professional fees) of a trustee, if any, appointed in any superseding Chapter 7 case; and (ii) as
28 additional adequate protection, payments to the Lenders as set forth in the Debtors' interim budget.

1 7. Lenders' liens upon, and security interests in, the replacement collateral shall be
2 deemed perfected without any other act or filing upon entry of this Order.

3 8. The Debtors shall not use Archway's cash collateral for any purpose except ordinary
4 costs of repair, upkeep, maintenance, and insurance of and for the Archway properties, as those
5 specific line items are set forth in the budgets attached to the Motion, unless Archway provides
6 additional consent.

7 9. All cash collateral will be accounted for in Debtors' books and records.

8 10. The Debtors will not use cash collateral during the pendency of this case for any
9 purpose which is not authorized by the Bankruptcy Code or by an order of the Court.

10
11 IT IS SO ORDERED

12 ###

13 **Approved as to form:**

14 FRANDZEL ROBINS BLOOM & CSATO, L.C.

15 By: 

16 Gerrick M. Warrington, attorneys for **ARCHWAY**
REAL ESTATE INCOME FUND I SPE I, LLC

17 HEMAR, ROUSSO & HEALD, LLP

18 By: _____

19 Jacqueline L. James, attorneys for **HARVEST**
SMALL BUSINESS FINANCE, LLC

20 ALDRIDGE PITE, LLP

21 By: 

22 Todd S. Garan, attorneys for **WELLS FARGO**
BANK NATIONAL WEST

7. Lenders' liens upon, and security interests in, the replacement collateral shall be deemed perfected without any other act or filing upon entry of this Order.

8. The Debtors shall not use Archway's cash collateral for any purpose except ordinary costs of repair, upkeep, maintenance, and insurance of and for the Archway properties, as those specific line items are set forth in the budgets attached to the Motion, unless Archway provides additional consent.

9. All cash collateral will be accounted for in Debtors' books and records.

10. The Debtors will not use cash collateral during the pendency of this case for any purpose which is not authorized by the Bankruptcy Code or by an order of the Court.

IT IS SO ORDERED


###

Approved as to form:

FRANDZEL ROBINS BLOOM & CSATO, L.C.

By: _____
Gerrick M. Warrington, attorneys for **ARCHWAY
REAL ESTATE INCOME FUND I SPE I, LLC**

HEMAR, ROUSSO & HEALD, LLP

By:  _____
Jacqueline L. James, attorneys for **HARVEST
SMALL BUSINESS FINANCE, LLC**

ALDRIDGE PITE, LLP

By: _____
Todd S. Garan, attorneys for **WELLS FARGO
BANK NATIONAL WEST**



Bankruptcy LODGED ORDER UPLOAD FORM

Wednesday, July 10, 2024

CONFIRMATION :

Your Lodged Order Info:

(**11305208.docx**)

[A new order has been added](#)

- **Office:** [Los Angeles](#)
- **Case Title:** [Seaton Investments, LLC](#)
- **Case Number:** [24-12079](#)
- **Judge Initial:** [VZ](#)
- **Case Type:** [bk \(Bankruptcy \)](#)
- **Document Number:** [87](#)
- **On Date:** [07/10/2024 @ 11:12 AM](#)

Thank You!

United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal Building and Courthouse
255 East Temple Street
Los Angeles, CA 90012

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
Saul Ewing LLP, 1888 Century Park East, Suite 1500, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: MOTION BY AFFECTED DEBTORS FOR ENTRY OF AN ORDER AUTHORIZING USE OF CASH COLLATERAL PURSUANT TO 11 U.S.C. § 363(C)(2); DECLARATION OF ALAN GOMPERTS, SUSAN HALEVY, DANIEL HALEVY AND DERRICK TALERICO IN SUPPORT THEREOF [DKT. 87]** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* July 10, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On *(date)* _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL *(state method for each person or entity served)*: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on July 10, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

BY PERSONAL DELIVERY:

Hon. Vincent P. Zurzolo
U.S. Bankruptcy Court-Roybal Federal Building
255 E. Temple Street, Bin outside of Suite 1360
Los Angeles, CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 10, 2024
Date

Easter A. Santa Maria
Printed Name


Signature

SERVICE LIST VIA NEF:

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